

January 21, 2003

The Honorable Michael K. Powell  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room 8-B201  
Washington, DC 20554

Re: Amendment of Section 90.20 and 90.175 of the Commission's Rules for  
Frequency Coordination of Public Safety Frequencies in the Private Land Mobile  
Radio Below-470 MHz Band; WT Docket No. 02-285

Dear Mr. Chairman:

On September 19, 2002, the Commission released a *Notice of Proposed Rulemaking*. In it the Commission asked for comments on proposals to modify the frequency coordination process of public safety pools. We are only going to comment on the introduction of competition in the public safety pool. We agree with the proposal and urge the Commission to open the public safety pool to all industrial business and public safety coordinators.

I am a private land mobile radio dealership in Lexington, Kentucky. We are very interested in the outcome of this proceeding because it could be very beneficial to my business. My experiences with public safety coordinators have been horrible, costing me time, money and possibly business. Beginning in April of 2001 we started the process of obtaining a repeater pair for an ambulance company. This objection was not achieved until October of 2002. Initially we tried to facilitate the help for ITA. I was advised we would have to go through a public safety frequency coordinator. We chose IMSA and it was on problem after another. The customer service is intolerable. Before giving IMSA the applications, I was told that a FAA form would need to be submitted. This form was the form 7460, *notice of proposed construction alteration*. The problem was no one knew how to obtain this form. I was referred to a web site that was obsolete, referred to different airports around the region and finally got the correct updated form and submitted it on April 30, 2001. The FAA received it on May 14, 2001. I was then told that I would need to provide a topographical map of the proposed site. After this was submitted, we were sent a letter stating the coordinates needed to be verified, dated May 17, 2001. On June 6, 2001 we received notice that our applications had been assigned an "aeronautical study number". On July 24, 2001 we received "determination of no hazard to air navigation". So, three months after initial submission, we were informed it was okay to move forward. At this point we received the Purchase Orders from the public safety entities involved. The application was submitted to IMSA. Four months pass with no progress and then we receive a letter from IMSA stating we must furnish them with a FRN. This information was promptly given and ten days later I received a letter stating that I would need to provide IMSA with "proof of my

ambulance's eligibility". This "proof" would have to be in the form of a letter from the Kentucky Department of Health Services-Emergency Medical Services Branch. The name IMSA referred me to was a gentleman who is no longer employed at the aforementioned government agency. After researching, I found the correct contact and asked them for a letter. They complied, however, it took three different letters worded slightly different and three and a half weeks in order for IMSA to accept the correspondence. **FIVE MONTHS** pass (it's now April of 2002) and now my customer is starting to get upset. Their county is conducting an audit and IMSA has to provide us with a letter stating that the frequency coordination is indeed in progress. Three months later we receive notice that IMSA has obtained 1 half of the repeater pair. I'm advised that the other half will have to be obtained through ASHTO. At this time we are advised that this is also going to cost more money. We comply and are finally issued our frequencies in September. It was quite upsetting to me that though we were granted the frequencies, my office was not notified of the granting of the frequencies. My customer received a "radio station authorization" notice from the FCC and advised *us* the good news.

At this point in time, no equipment orders have been processed through my office. The customer is reconsidering their tower construction and I may end up losing the business due to the unacceptable length of time that has lapsed. The purchased orders that were issued to us in April of 2001 are now obsolete due to price increases and I've put fourth so much of my time and now it looks like we won't even receive the glory of making a sale.

We strongly believe the issues we are currently dealing with would be resolved with the introduction of competitive coordination in the public safety pools. One important benefit competition would bring is that both the time it takes for processing applications and the associated costs of the applications would decrease. Public safety entities cannot and should not have to wait for years to get frequencies. Also, in a competitive market place customer service would be improved. I have seen this achieved through my experiences at ITA. Their process is efficient, effective, and timely, with a focus on customer service.

For the benefit of the public safety community and businesses, such as mine, we believe the Commission should open public safety pools to industrial business and public safety coordinators.

Deborah Tomlin  
Commonwealth Communications